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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,844	08/18/2003	Alfred J. Lewy	90,559-T	3196

7590 12/10/2009  
McDonnell Bochnen Hulbert & berghoff  
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EXAMINER

ROYDS, LESLIE A

ART UNIT

PAPER NUMBER

1614

MAIL DATE

DELIVERY MODE

12/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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10/642,844	8/18/2003	LEWY ET AL.	90,559-T

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## EXAMINER

Leslie A. Royds

ART UNIT	PAPER
1614	20091205

DATE MAILED:

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Commissioner for Patents

## NOTICE OF NON-RESPONSIVE AMENDMENT

The reply filed on September 16, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to reply to each ground of rejection in the Office Action. See, specifically, the rejections under obviousness-type double patenting over U.S. Patent Application No. 10/945,846 and U.S. Patent Nos. 5,591,768, 5,716,978, 6,794,407, 5,242,941, or 5,420,152. Applicant has only provided remarks directed to the rejection under 35 U.S.C. 102 and the obviousness-type double patenting rejection over U.S. Patent No. 6,683,963. Failure to address these other rejections does not comply with the requirements of 37 C.F.R. 1.111, which requires Applicant to reply to every ground of objection and/or rejection set forth in the Office Action. See 37 CFR 1.111.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Extensions of this time period may be granted under 37 C.F.R. 1.136(a).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

/Leslie A. Royds/  
Patent Examiner, Art Unit 1614